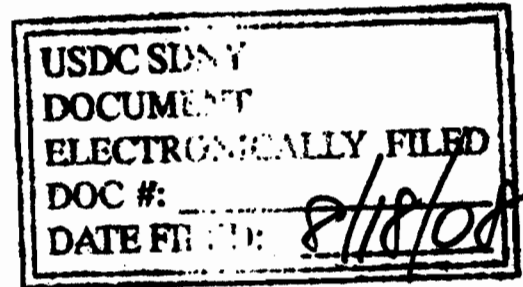


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
STEVE STAEHR,
derivatively on behalf of Morgan Stanley,

Plaintiff,

-v.-

JOHN J. MACK, et al.,

Defendants.
-----X

07 Civ. 10368 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

On May 5, 2008, defendants filed a motion to dismiss plaintiff's complaint. On June 24, 2008, the Court approved a joint stipulation agreeing that plaintiff would file an amended complaint, and setting forth a briefing schedule for a new motion to dismiss. Plaintiff filed an amended complaint on July 16, 2008. Accordingly, it is ORDERED that the May 5, 2008, Motion to Dismiss (Doc. #10) is DENIED as moot.

SO ORDERED.

Dated: New York, New York
August 15, 2008



GERARD E. LYNCH
United States District Judge